

§ 301.52-8

(b) In all cases, certificates or permits shall be furnished by the carrier to the consignee at the destination of the shipment.

§ 301.52-8 Inspection and disposal of regulated articles and pests.

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles and pink bollworms as provided sections 414, 421, and 434 of the Plant Protection Act (7 U.S.C. 7714, 7731, and 7754), in accordance with instructions issued by the Deputy Administrator.

[32 FR 16385, Nov. 30, 1967, as amended at 66 FR 21051, Apr. 27, 2001]

§ 301.52-9 Movement of live pink bollworms.

Regulations requiring a permit for, and otherwise governing the movement of live pink bollworms in interstate or foreign commerce are contained in the Federal Plant Pest regulations in part 330 of this chapter. Applications for permits for the movement of the pest may be made to the Deputy Administrator.

§ 301.52-10 Nonliability of the Department.

The U.S. Department of Agriculture disclaims liability for any costs incident to inspections or compliance with the provisions of the quarantine and regulations in this subpart, other than for the services of the inspector.

Subpart—Mexican Fruit Fly Quarantine and Regulations

SOURCE: 48 FR 54580, Dec. 6, 1983, unless otherwise noted.

§ 301.64 Quarantine and regulations; restrictions on interstate movement of regulated articles.^{1,2}

(a) *Quarantine and regulations.* The Secretary of Agriculture hereby quar-

¹Any properly identified inspector is authorized to stop and inspect persons and means of conveyance, and to seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of regulated articles as provided in sections 414, 421, and

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antines the State of Texas in order to prevent the artificial spread of the Mexican fruit fly, a dangerous plant pest not heretofore widely prevalent or distributed within and throughout the United States; and hereby establishes regulations governing the interstate movement of regulated articles specified in § 301.64-2.

(b) *Restrictions on interstate movement of regulated articles.* No common carrier or other person shall move from any regulated area any regulated article interstate into or through American Samoa, Arizona, California, Florida, Guam, Hawaii, Louisiana, the Northern Mariana Islands, Puerto Rico, Texas, and the Virgin Islands of the United States, except in accordance with the conditions prescribed in this subpart.

[48 FR 54580, Dec. 6, 1983, as amended at 49 FR 33992, Aug. 28, 1984; 50 FR 14087, Apr. 10, 1985; 55 FR 27181, July 2, 1990; 55 FR 47738, Nov. 15, 1990; 57 FR 521, Jan. 7, 1992; 58 FR 219, Jan. 5, 1993; 58 FR 64103, Dec. 9, 1993; 59 FR 51840, Oct. 13, 1994; 61 FR 2392, Jan. 26, 1996; 62 FR 44202, Aug. 20, 1997; 62 FR 61214, Nov. 17, 1997; 64 FR 40282, July 26, 1999; 66 FR 21051, Apr. 27, 2001]

§ 301.64-1 Definitions.

Terms used in the singular form in this subpart shall be construed as a plural and vice versa, as the case may demand. The following terms, when used in this subpart, shall be construed, respectively, to mean:

Certificate. A document which is issued for a regulated article by an inspector or by a person operating under a compliance agreement, and which represents that such article is eligible for interstate movement in accordance with § 301.64-5(c).

Compliance agreement. A written agreement between Plant Protection and Quarantine and a person engaged in the business of growing, handling, or moving regulated articles, wherein the person agrees to comply with the provisions of this subpart and any conditions imposed pursuant thereto.

434 of the Plant Protection Act (7 U.S.C. 7714, 7731, and 7754).

²Regulations concerning the movement of live Mexican fruit flies in interstate or foreign commerce are contained in part 330 of this chapter.